

ENVIRONMENTAL PROTECTION COMMISSION[567]

Adopted and Filed

Rule making related to NPDES General Permit No. 4

The Environmental Protection Commission hereby amends Chapter 64, “Wastewater Construction and Operation Permits,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code section 455B.173(11).

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code sections 455B.173(11) and 455B.183(1)“c.”

Purpose and Summary

The purpose of this amendment is to reissue the existing National Pollutant Discharge Elimination System (NPDES) Private Sewage Disposal Systems General Permit known as General Permit No. 4 (GP4). This permit authorizes discharges from private sewage disposal systems such as sand filters, other media filters, and aerobic treatment units that will reach a designated water of the state or a subsurface drainage tile. These types of systems are used where soil absorption is not possible due to soil or geological conditions or the presence of a high groundwater table. The permit will be renewed for five years, and the only changes being made to the permit are updates to the effective dates. There are no fees associated with GP4. A copy of GP4 is available at the Department’s website at www.iowadnr.gov/Environmental-Protection/Water-Quality/Private-Septic-Systems/General-Permit-4.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on September 13, 2017, as **ARC 3310C**. A public hearing was held on October 3, 2017. No comments were received at the public hearing or otherwise. Changes from the Notice were made to move the effective date of the general permit back one month.

Adoption of Rule Making

This rule making was adopted by the Environmental Protection Commission on December 19, 2017.

Fiscal Impact

GP4 has been in existence since 1998 (and in its current form since 2012). The Department is renewing GP4 with no changes from the current version except for updating dates. No additional staff or other resources will be required.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Commission for a waiver of the discretionary provisions, if any.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on March 1, 2018.

The following rule-making action is adopted:

Amend subrule 64.15(4) as follows:

64.15(4) "Discharge from Private Sewage Disposal Systems," NPDES General Permit No. 4, effective ~~March 18, 2009~~ March 1, 2018, to ~~March 17, 2014~~ February 28, 2023.

[Filed 12/20/17, effective 3/1/18]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 1/17/18.